

linear hydrocarbon, a cyclic hydrocarbon, an aromatic hydrocarbon, an halogenated alkyl, an organosilicon group, and a fluorinated carbon group. Support for the amendment to claim 1 is found in original claim 1 and at page 9, lines 14-18. Claims 6-9 have been added. Support for these claims is found on page 9, lines 14-18.

No new matter is added by this amendment.

II. Rejection Under 35 U.S.C. § 102

Claims 1, 2, and 5 stand rejected as anticipated by JP 634014. The Examiner states that if applicant was to amend the claims in order to limit the thickener to those thickeners which are outside the scope of the thickeners disclosed in JP 636014, it would materially help advance the prosecution of the application.

Claim 1 has been amended to limit the hydrophobic group of the thickener to a group consisting of a linear hydrocarbon, a cyclic hydrocarbon, an aromatic hydrocarbon, an halogenated alkyl, an organosilicon group, and a fluorinated carbon group. Claims 6-9 have been added to further define the hydrophobic group as a cyclic hydrocarbon, an halogenated alkyl, an organosilicon group, and a fluorinated carbon group. Applicant believes the amendment is consistent with the Examiner's recommendation to amend the claims in order to limit the thickeners. Accordingly, Applicant respectfully requests withdrawal of this rejection.

III. Rejection Under 35 U.S.C. §103

Claims 1, 2, and 5 are rejected as obvious over Okumura *et al.* (U.S. Patent No. 5,580,374) either alone or in view of Doolan *et al.* (U.S. Patent No. 5,425,806) and Shay *et al.* (U.S. Patent No. 5,478,602).

Claims 3 and 4 are rejected as obvious over Okumura *et al.* either alone or in view of Doolan *et al.* and Shay *et al.* as applied to claim 1 and 2 and further in view of either Kobayashi *et al.* (U.S. Patent No. 4,822,417) or JP54138732. Claims 3 and 4 also continue to be rejected as obvious over JP 6346014 in view of either Kobayashi *et al.* or JP 54138732.

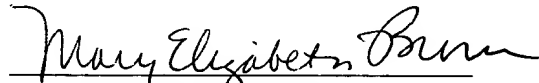
The Examiner contends that Okumura *et al.* disclose a thickener which is an alkali salt of copolymers of styrene and maleic acid.

Applicant believes the amendment to limit the thickeners of claim 1 and the above remarks also overcome these rejections. Therefore, Applicant respectfully requests withdrawal of these rejections.

IV. Conclusion

In view of the foregoing, it is believed the claims are in condition for allowance and allowance is earnestly solicited.

Respectfully submitted,


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PATENT TRADEMARK OFFICE

Docket No: 3404/OF546

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Masaru MIYAMOTO

Serial No.: 09/297,399

Art Unit: 1714

Filed: April 29, 1999

Examiner: C. SHOSHO

For: WATER BASED INK COMPOSITION FOR BALLPOINT PEN

MARK-UP FOR AMENDMENT PURSUANT TO 37 C.F.R. §1.121

Hon. Commissioner of
Patents and Trademarks
Washington, DC 20231

October 15, 2001

IN THE CLAIMS

1. (Thrice amended) A water based ink composition for a ballpoint pen
which comprises a thickener which is associative and swells in an alkaline medium,
said thickener comprising a polymer having a carboxyl group and a hydrophobic group
selected from the group consisting of a linear hydrocarbon, a cyclic hydrocarbon, an
aromatic hydrocarbon, an halogenated alkyl, an organosilicon group, and a fluorinated

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carbon group, a pigment, a polar solvent comprising water and other water-miscible solvents and a pH controlling agent.